

EXHIBIT 9

**REDACTED VERSION OF
DOCUMENT SOUGHT TO BE
SEALED**

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

- - -

WAYMO, LLC,)
)
Plaintiff,)
)
vs.) No. 3:17-CV-00939
)
UBER TECHNOLOGIES; INC.;)
OTTOMOTTO, LLC; and OTTO)
TRUCKING, LLC,)
)
Defendants.)

ATTORNEYS' EYES ONLY - HIGHLY CONFIDENTIAL

The videotaped 30(b)(6) deposition of ERIC MEYHOFER, called as a witness by the Plaintiff, pursuant to notice and the Federal Rules of Civil Procedure pertaining to the taking of depositions, taken before me, the undersigned, Rebecca L. Schnur, Notary Public in and for the Commonwealth of Pennsylvania, at the offices of Reed Smith, LLP, 225 Fifth Avenue, Pittsburgh, Pennsylvania 15222, commencing at 9:20 a.m. on FRIDAY, AUGUST 18, 2017.

Job No. 2681788B
Pages 1 - 259

Page 1

1 I don't recall. 14:47:48

2 Q. What did you and Mr. Levandowski discuss 14:47:50

3 during the laser beam pattern sync? 14:47:52

4 A. I don't recall the meeting. 14:47:56

5 MR. JAFFE: All right. This will be 14:48:29

6 Exhibit 894. It is UBER65221. 14:48:31

7 (Whereupon, Deposition Exhibit 894 was marked 14:48:39

8 for identification.) 14:48:39

9 Q. This refers to a meeting called "Birdhouse 14:48:55

10 Jam" on February 23, 2017. Is that right? 14:48:58

11 A. Yes, it does. 14:49:07

12 Q. All right. And if we can go back to 14:49:09

13 Exhibit 886 for a moment -- 14:49:12

14 A. Yes. 14:49:20

15 Q. -- what I referred to as the lidar log 14:49:21

16 earlier, if you go to -- it's not on here. 14:49:25

17 What happened at this meeting -- 14:49:58

18 MR. HUME: Objection. Outside the scope. 14:50:00

19 Q. -- Exhibit 844? 14:50:01

20 A. 894? 14:50:04

21 Q. 894. Excuse me. Thank you. 14:50:06

22 MR. HUME: Objection. Outside the scope. 14:50:09

23 A. Birdhouse jam was a recurring meeting that TK 14:50:11

24 held, or Travis held. [REDACTED] [REDACTED]

[REDACTED] [REDACTED] 14:50:20

1 [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] 14:50:37
5 Birdhouse jam was a strategic jam session 14:50:37
6 where we would get together and talk about ideas on how 14:50:43
7 to bring this technology to scale, [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] 14:51:12
12 Q. Did you discuss lidar at these birdhouse jam 14:51:17
13 meetings? 14:51:21
14 A. From time to time, Travis would ask me where 14:51:22
15 we were on lidar, yeah. 14:51:28
16 Q. Travis would ask -- Travis Kalanick would ask 14:51:29
17 you where you were on lidar? 14:51:33
18 A. Where I was, yes. 14:51:35
19 Q. Why would Travis Kalanick, the then CEO of 14:51:36
20 Uber, be asking you about the status of lidar? 14:51:41
21 A. I mean, he asked me about the status of a 14:51:47
[REDACTED] as well. He asked -- it was the time 14:51:52
23 where we got together and talked about the components 14:51:57
24 of the vehicle and how they would -- 14:52:00
25 Q. Lidar was an important component. Is that 14:52:03

1 fair? 14:52:05

2 A. It was and -- it is an important component. 14:52:06

3 Q. It's important enough that the CEO of Uber 14:52:09

4 was going to ask you about it? 14:52:12

5 A. The CEO of Uber asks me about my dog, too. 14:52:19

6 Q. So that doesn't answer my question at all, 14:52:25

7 not to denigrate your dog at all, but -- lidar is 14:52:27

8 important enough that the CEO was asking you about it? 14:52:34

9 MR. HUME: Objection to form. 14:52:39

10 A. Yes. It is important enough that we discuss 14:52:43

11 it in the jam session, yes. 14:52:45

12 Q. And the CEO specifically asked you about it. 14:52:47

13 He raised it. That's what you said. Right? 14:52:50

14 A. We would discuss it, yes. 14:52:53

15 Q. And Travis Kalanick, the CEO -- then CEO of 14:52:54

16 Uber, he would bring up lidar? 14:52:58

17 MR. HUME: Objection to form. Objection as 14:53:00

18 outside the scope as well. 14:53:04

19 A. I don't know, necessarily, if he would bring 14:53:08

20 it up or if I would bring it up, but we would discuss 14:53:09

21 it. [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] 14:53:22

24 Q. Did Anthony Levandowski ever provide input 14:53:25

25 regarding lidar during these meetings? 14:53:28

1	A. He would usually defer to me. He has a sense	14:53:34
2	of optimism when he would discuss schedules or time	14:53:43
3	lines, and he and I wouldn't necessarily agree because	14:53:47
4	I didn't have that optimism. So Anthony and I would	14:53:50
5	have -- you know, we would discuss it at the same time,	14:53:54
6	yes.	14:53:56

7	Q. So both you and Anthony Levandowski would	14:53:57
8	discuss lidar with Travis Kalanick at these birdhouse	14:54:00
9	jam meetings. Is that fair?	14:54:05

10	MR. HUME: Objection to form.	14:54:07
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11 |         Go ahead.                                     14:54:07
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12	A. It isn't fair to characterize it that way.	14:54:08
13	That sounds like it's something we would do.	14:54:12

14	It had occurred from time to time. It wasn't	14:54:13
15	a theme.	14:54:16

16	Q. Okay. Well, then, I'll try to state it a	14:54:18
17	different way.	14:54:20

18	From time to time, you, Anthony Levandowski,	14:54:21
19	and Travis Kalanick would discuss lidar at these	14:54:23
20	birdhouse jam meetings?	14:54:28

21	A. That's right.	14:54:30
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22	Q. Is that fair?	14:54:30
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23	A. Yes.	14:54:31
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24	O. When did that start?	14:54:36
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25	A. Birdhouse?	14:54:37
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1 Q. And these discussions regarding lidar. 14:54:38

2 A. I have no -- I don't know. Birdhouse 14:54:42

3 meetings were typically late. They typically ran a 14:54:44

4 long time, and we did them for quite a while. And I 14:54:48

5 have since discontinued doing them because the audience 14:54:55

6 got too big and it got too scattered. We started to 14:54:59

7 talk about things that were just a waste of time. 14:55:04

8 I don't remember when birdhouse meetings 14:55:12

9 started, and I ended them probably three months ago, 14:55:14

10 four months ago. 14:55:18

11 MR. JAFFE: All right. This will be 895, 14:55:21

12 UBER11976. 14:55:22

13 (Whereupon, Deposition Exhibit 895 was marked 14:55:27

14 for identification.) 14:55:27

15 Q. This is a calendar invite for something 14:55:46

16 called a "Ladar planning meeting." Do you see that? 14:55:47

17 A. Uh-huh. 14:55:50

18 Q. What was the Ladar planning meeting? 14:55:51

19 A. [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] 14:56:24

1 [REDACTED] 14:56:27
2 I don't know what this meeting was. That's 14:56:32
3 what I'm guessing, based on this audience. 14:56:35
4 Q. I hear you guessing. I want to talk about -- 14:56:37
5 I want to take guessing out of this, if that's all 14:56:41
6 right. 14:56:44
7 A. I don't remember this meeting. 14:56:44
8 Q. Okay. So let me ask my question again. What 14:56:46
9 was the Ladar planning meeting about that's reflected 14:56:50
10 here in Exhibit 895? 14:56:54
11 MR. HUME: Objection. Beyond the scope. 14:56:56
12 A. I don't remember. It was likely about lidar 14:56:58
13 sim, but I don't recall. 14:57:00
14 Q. Why was Mr. Levandowski invited to this 14:57:02
15 meeting? 14:57:04
16 A. I don't remember. 14:57:06
17 Q. What did Mr. Levandowski contribute to this 14:57:07
18 meeting? 14:57:10
19 A. I don't remember. 14:57:11
20 MR. JAFFE: You can put that aside. 14:57:14
21 This will be 896. It's UBER65164. 14:57:23
22 (Whereupon, Deposition Exhibit 896 was marked 14:57:40
23 for identification.) 14:57:40
24 Q. Mr. Meyhofer, do you see I've marked as 14:57:48
25 Exhibit 896 a document that reflects a meeting invite 14:57:50

HIGHLY CONFIDENTIAL - ATTORNEYS EYES ONLY

CERTIFICATE

COMMONWEALTH OF PENNSYLVANIA)
)
COUNTY OF ALLEGHENY)

I, Rebecca L. Schnur, do hereby certify that before me, a Notary Public in and for the Commonwealth aforesaid, personally appeared ERIC MEYHOFER, who then was by me first duly cautioned and sworn to testify the truth, the whole truth, and nothing but the truth in the taking of his oral deposition in the cause aforesaid; that the testimony then given by him as above set forth was by me reduced to stenotype in the presence of said witness, and afterwards transcribed by means of computer-aided transcription.

I do further certify that this deposition was taken at the time and place in the foregoing caption specified.

I do further certify that I am not a relative, counsel or attorney of either party or otherwise interested in the event of this action.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Pittsburgh, Pennsylvania, on this 21st of August, 2017.



Rebecca L. Schnur, RDR, Notary Public
In and for the Commonwealth of Pennsylvania
My Commission expires June 16, 2021.